

ORIGINAL

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NEW YORK

BOYSIN LORICK
CYNTHIA LORICK

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

-against- Kilpatrick Townsend,
Colin M. Bernardino,
Keith Brandolino, John M. Chura
Sumit Jain, Berkadia Commercial
Mortgage Wells Fargo

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Complaint for a Civil Case

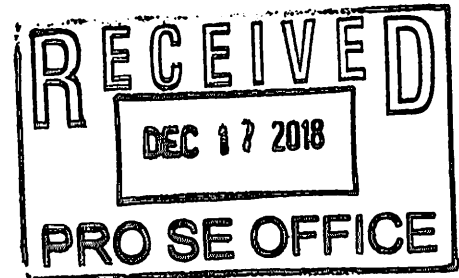
Case No. **CV 18-7178**

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

VITALIANO, J.

ORENSTEIN, M.J.



I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Name	<u>BOYSIN and CYNTHIA LORICK</u>
Street Address	<u>38 UTICA Rd</u>
City and County	<u>EDISON, NJ</u>
State and Zip Code	<u>NJ 08820</u>
Telephone Number	<u>908 565 3011</u>
E-mail Address	<u>BOYSIN.LORICK@gmail.com</u>

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Name	<u>Kilpatrick Townsend and Stockton LLP</u>
Job or Title (if known)	<u>Firm</u>
Street Address	<u>1114 Avenue of the Americas</u>
City and County	<u>New York</u>
State and Zip Code	<u>New York USA 10036</u>
Telephone Number	<u></u>
E-mail Address (if known)	<u></u>

Defendant No. 2

Name	<u>Colin M. Bernardino</u>
Job or Title (if known)	<u>Attorney</u>
Street Address	<u>1114 Avenue of the Americas</u>
City and County	<u>New York, N.Y. USA 10036</u>

State and Zip Code New York 10036
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 3

Name Keith Brandolini
Job or Title ~~Att~~ Attorney
(if known) _____
Street Address 1114 Avenue of the Americas
City and County New York
State and Zip Code N.Y. 10036
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 4

Name John M. Church
Job or Title _____
(if known) _____
Street Address 3826 South New Hope Road
City and County GASTONIA, NC
State and Zip Code North Carolina 28056
Telephone Number _____
E-mail Address _____
(if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

E-mail Address
(if known)

Defendant No. 6

Name

Sumit Jain

Job or Title
(if known)

Street Address

8720 Red Oak Boulevard,
Charlotte, Suite 300

City and County

State and Zip Code

N.C. 28217

Telephone Number

E-mail Address
(if known)

Defendant No. 7

Name

Well Fargo

Job or Title
(if known)

Street Address

420 Montgomery St.

City and County

San Francisco, Ca. 94104

State and Zip Code

Ca. 94104

Telephone Number

E-mail Address
(if known)

Defendant No. 8

Name

Berkadia Commercial Mortgage

Job or Title
(if known)

Co Sumit Jain

Street Address

8720 Red Oak Boulevard, Suite 300

City and County

Charlotte

State and Zip Code

N.C. 28217

b. If the defendant is a corporation

The defendant, (name) _____, is
incorporated under the laws of the State of (name)
_____, and has its principal place of
business in the State of (name) _____. Or is
incorporated under the laws of (foreign nation)
_____, and has its principal place of
business in (name) _____.

*(If more than one defendant is named in the complaint, attach an
additional page providing the same information for each additional
defendant.)*

3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant
owes or the amount at stake—is more than \$75,000, not counting interest
and costs of court, because (explain):

Federal RICO claims

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as
briefly as possible the facts showing that each plaintiff is entitled to the damages or other
relief sought. State how each defendant was involved and what each defendant did that
caused the plaintiff harm or violated the plaintiff's rights, including the dates and places
of that involvement or conduct. If more than one claim is asserted, number each claim
and write a short and plain statement of each claim in a separate paragraph. Attach
additional pages if needed.

attached is my complaint

IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

damages for a Sum of 25,000,000.00
Other damages to be decided by Jury.
I want punitive damages too for serious
Loss of my Property Damages

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: 12-17, 2018

Signature of Plaintiff

Printed Name of Plaintiff


Cynthia Lovick

BOYSIN LORICK
CYNTHIA LORICK
3126 CONEY ISLAND AVE,
BROOKLYN, N.Y. 11235
12-14-18

Date Loan was made - September 13TH. 2005.
7 years with Option to renew additional
5 years.

About 2 1/2 months prior to September 13TH 2012
I informed clients relations manager that I was
going to use my option of 5 years extension on my
mortgage. I wrote a letter by informing the
Manager to use my \$25,000 that I have in escrow
to cover the one percent need for that extension.
I thought it was a done case. After the seventh
year was completed Waterstone Asset Management
came into the picture. I had a discussion with
Mr. Sumit Jain ended with You must pay off
fully Principal. While continuing to pay my
monthly payments I seek a Mortgage and continue
to pay my mortgage one year later passed
the seventh year expiration. When I got the
Mortgage it was an addition to fees and Interest
and lawyer costs. My Attorney with the bank's
lawyers were in the middle of the negotiations.

They knew exactly how much they agreed to have the loan payed off. I was set up. My payment changed from 1.992 m. to over 2.4 m. after spending enormous amount of cash to acquire this loan I was hit with a second surprise. Sovereign Bank was the holder of this mortgage till April 2008 and who payments were made to. In May of 2008 Capmark informed me of the Mortgage being sold as bonds to a trust. In 2012 Wells Fargo showed up as trustee. I will like activities from Wells Fargo showing checks and paperwork for 5 years.

My full year of Payments was never proven to me and The State court was never informed of it. If not proven could be fraudulent against me. The bank supported a receiver who took a forty violation building to a 200 plus violation which caused the building to faunter into (AEP) Alternate Enforcement Programme. Which cost ran over \$500,000 over six months spending. From 1.3 m. there is \$50,000 left. After the building was a section bank lawyers intervened and caused me at least another \$100,000 of fees to lawyers.

They (The Bank) never clearly explained
The Environmental outcome which they used
as a ploy to hand the building to a receiver.

They used the Bank Attorney as a bank
officer to sign transfer. (Peter McCarthy)

They ~~should~~ should have been bystanders
at the Auction but They stepped in
many times to cause disruption. They even had
interactions with bidders to cause me loss of
money. Through the bank lawyers I lost
50,000 from the top bidder.

For 30 years I never missed a payment on
my mortgage. After enough money was there
to pay the bank and their attorneys they never
gave up hurting me and my family with
what we worked sometimes 24 hrs./day.

AEP is the 200 worse building in the city.
I showed the court how well this building
was kept. There was a new Judge came on
this case. Before the Judge can look at this
case they got him to sign the order to
put a receiver.

① I made more than \$230,000 after renewal of option.

② Wells Fargo joined hands with Kilpatrick John Church, Sumit Jain to commit serious fraud at the state court. They misled the state court. They never disclosed the right numbers. They did not disclose option of renewal. The state court was a racketeering club in their hand. They committed Federal crime of mail and wire fraud.

③ They threatened me loss of foreclosure and used my lawyer for carrying out deprivation of my property under fear.

④ They obtain the defendants foreclosure without due process in the Br.

⑤ All the defendants continued the Federal fraud in the bankruptcy court. They misled the bankruptcy by filing fraudulent papers and fraudulent claim.

⑥ The bankruptcy court was their second racketeering club.

- ⑦ Had the defendants told the truth to the state court I would have not lost my property. Had they told the truth to the state court my judgement would have been way less than it is now.
- ⑧ Had they told the truth to the bankruptcy court their claim would have been less than what it is now.
- ⑨ They lied in the Bankruptcy and State court that they did not receive the \$230,000 for payments I made after renewal.
- ⑩ I lost the building, I am not asking for bringing back the building or to set aside the state court judgement. I am claiming all the defendants colluded together to make money out of my property by committing Federal crime. They filed fraud papers with false numbers to maximize their profits. The defendants destroyed me by taking away my property.

(11) The defendants breached their agreement by not renewing the contract.

(12) They converted my hard earned money of more than \$230,000.00 for their benefits.

(13) My family and I went through serious emotional breakdown because of fraud and deception. We were dependant of the support of the building. My daughter died in 2016. My son who work with me is suffering a nervous breakdown who presently I support. My wife till date has not recovered from the shock.

(14) We don't mind someone using fear means to take our property but to use fraud and dishonesty and deception should not go without proper justice and fairness.

(15) We are a victims of fraud and dishonest means, that the bankruptcy court and state court was nothing means of fools of their fraud.

- 16) I have checks to prove how the state court and bankruptcy process were used to deceive and to achieve their aim of taking money with dishonesty. I want
- 17) I want Jury Trial
- 18) I want damages of \$25,000,000.00
- 19) I want breach of contract damages \$10,000,000.00
- 20) I want 3 times of what I have lost.
- 21) I want a return of \$230,000.00 with penalty interest.
- 22) I am 72 yrs of age. my Wife 76 years old. They (defendants) have destroyed us. We need Justice.

12-17-18

~~BOYSEN Lorick~~
~~Boysen Lorick~~

Cynthia Lorick
Cynthia Lorick